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<b>AMENDMENT TRANSMITTAL LETTER</b>			Docket No. SPINE 3.0-446 CONT
Application No. 10/715,969-Conf. #5368	Filing Date November 18, 2003	Examiner J. G. Blanco	Art Unit 3738

Applicant(s): James D. Ralph, Stephen Tatar, and Joseph P. Errico

Invention: INTERVERTEBRAL SPACER DEVICE HAVING ARCH SHAPED SPRING ELEMENTS

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	23	- 23 =	0	x	
Independent Claims	3	- 3 =	0	x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

- ☒ Large Entity ☐ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

*Michael J. Doherty*

Dated: June 28, 2006

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 28, 2006      Signature: *Michael J. Doherty* (Michael J. Doherty)

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Dated: July 28, 2006

Signature: Michael J. Doherty

(Michael J. Doherty)



Docket No.: SPINE 3.0-446 CONT  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ralph et al.

Application No.: 10/715,969

Filed: November 18, 2003

For: INTERVERTEBRAL SPACER DEVICE  
HAVING ARCH SHAPED SPRING  
ELEMENTS

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:  
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: Group Art Unit: 3738  
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: Examiner: J. G. Blanco  
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:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed May 15, 2006,  
Applicants submit the following amendments and remarks.